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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,746	12/21/2001	Jae Kyung Lee	K-0372	5271
34610	7590	01/27/2006	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			ZURITA, JAMES H	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,746

Applicant(s)

LEE, JAE KYUNG

Examiner

James H. Zurita

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 3 and 5-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,4 and 13-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Prosecution History

On 21 December 2000, applicant filed the instant application. It was published on 29 August 2002 as PG-PUB 20020120718A1. The application claims priority to application 2000-79647, filed in Korea on 21 December 2000.

On 25 March 2005, the Examiner issued an Election/Restriction Requirement.

On 25 April 2005, applicant elected claims 2 and 4.

On 8 July 2005, the Examiner rejected claims 2 and 4 as unpatentable over Lambrechts, US 6,909,378.

Response to Amendment

On 8 November 2005, applicant amended claims 2 and 4 and added claims 13-20. Claims 1-20 are pending, of which claims 3, 5-12 are withdrawn as drawn to a non-elected invention.

Claims 2, 4 and 13-20 will be examined.

Response to Arguments

Applicant's arguments filed 8 November 2005 have been fully considered but they are not persuasive.

Objection to the drawings is withdrawn in view of amendment.

Objection and Rejection of claim 2 are withdrawn in view of amendment.

Applicant argues that Lambrecht does not disclose the features of amended claims 2, 4 and new claims 13-20.

Applicant argues:

Lambrechts fails to disclose or suggest a remote controller, comprising a display unit including an image process circuit and a display window, said display unit displaying various remote controller function keys and a list of electronic apparatus, as recited in claim 2.

Lambrechts' universal remote controller does not have a display displaying various remote controller function keys and a list of electronic apparatus. The display in Lambrechts is on the computer 101, and not on the universal remote controller 103.

In response to applicant's arguments, the Examiner respectfully directs applicant's attention to Col. 6, line 60-Col 7, line 9, which discloses that the device may have a programmable user-interface presented on a liquid crystal display.

Claim Objections

The following are objected to because of informalities:

Claim 2 refers to "...module receives **remote controller** information...said [...]
controller information..." Controller information will be interpreted as the remote controller information.

Claim 2 refers to "...to communicate with an **electronic apparatus**...said information including ...code information and function information of **the apparatus**..." Apparatus will be interpreted as referring to the electronic apparatus.

Claim 17 reads "...wherein remote is configured..." This appears to be a word processing error and will be interpreted as referring to the remote controller of claim 2.

Claim 20 refers to electric; all other claims refer to electronic.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 18-20 are indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These claims refer to electronic apparatuses that are at least one of ***different or same*** (manufacturers, claim 18; kinds, claim 19; models, claim 20). The claims will be given their broadest reasonable interpretation to result in a true condition where either limitation is met. Prior art will be interpreted to read on the claims where prior art discloses any type of electronic apparatus, since these will have been manufactured by a manufacturer (claim 18), and the electronic apparatuses are of some kind (as in claim 19) and the electronic apparatuses are of some model (claim 20).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4 and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lambrechts (US 6,909,378).

As per claim 2, Lambrechts discloses a device comprising

a communication module configured to communicate with an electronic apparatus [PC, reference 101] which is configured to perform data communication with an Internet site by a radio or wire mode (Col. 4, lines 41-62),

wherein the communication module receives device information from the electronic apparatus (PC 101), said controller information including device code information [command codes, as in Abstract] and function information of the apparatus (Col. 1, lines 19-58);

a storage device for storing the device information transmitted through the communication means (memory 215, as in Col. 5, lines 9-50); and

a display unit including an image process circuit and a display window (Col. 6, line 60-Col. 7, line 9); said display unit displaying various device function keys (graphical buttons presented on the LCD, Col. 7, lines 5-10) and list(s) (see list of commands, as in Col. 2, lines 34-46);

wherein the device transmits an infrared ray signal (Abstract, Col. 1, lines 1-17) corresponding to a key input by a user (Col. 1, lines 19-25).

Lambrechts does not specifically disclose that the lists displayed on the display unit are lists of electronic apparatuses.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to extend Lambrechts to disclose the display unit including an image process circuit and a display window as displaying various device function keys and **list(s) of electronic apparatuses**.

One of ordinary skill in the art at the time the invention was made would have been motivated to extend Lambrechts to disclose the display unit including an image process circuit and a display window as displaying various device function keys and **list(s) of electronic apparatuses** for the obvious reason that selecting from a list of electronic apparatus helps users avoid typing errors they may encounter by keying the necessary codes.

As per claim 4, Lambrechts discloses that the electronic apparatus capable of performing data communication is a PC. PC **101**.

As per claim 13, Lambrechts discloses a user interface unit configured to receive user operation commands for device function. See at least references to keys for input, as in Col. 1, lines 19-58.

As per claim 14, Lambrechts discloses an infrared transmitting unit configured to generate at least one infrared ray signal corresponding to the key input by the user among the various device function keys. Col. 1, lines 19-25, Col. 6, lines 49-59. and other references to infrared transmitter.

As per claim 15, Lambrechts discloses a controlling unit configured to control at least the infrared transmitting unit. Abstract, Col. 1, lines 1-17, Col. 1, lines 19-25.

As per claim 16, Lambrechts discloses a program executable by the controlling unit to select and control the electronic apparatus. Col. 1, lines 20-58, references to selecting an appliance to be controlled.

As per claim 17, Lambrechts discloses that the device is configured to receive **device** information for a plurality of electronic apparatuses. Col. 1, lines 20-58.

As per claims 18-20, Lambrechts discloses electronic apparatuses such as electronic appliances (Col. 1, lines 20-25). Appliances are manufactured by a manufacturer (claim 18); appliances are of various kinds (TV's, set-top-boxes, PCs) as in claim 19, and appliances are of some model (e.g., remote controllers, some with LCDs, as in Col. 6, line 60 to Col. 7, line 10).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Zurita whose telephone number is 571-272-6766. The examiner can normally be reached on 8a-5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Zurita
Patent Examiner
Art Unit 3625
18 January 2006


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